

Federal Defenders OF NEW YORK, INC.

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

MEMORANDUM ENDORSED

October 27, 2023

By ECF

Honorable Gregory H. Woods
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/28/2023

Re: *United States v. Jose de Jesus Mendoza, 23 Cr. 552 (GHW)*

Dear Judge Woods:

I write in advance of Jose de Jesus Mendoza's upcoming arraignment and initial conference in the above-captioned case to request that the Court agree to waive Mr. Mendoza's personal appearance or conduct the proceeding by videoconference, pursuant to Rules 10(b) or 10(c) of the Federal Rules of Criminal Procedure.

Mr. Mendoza is indigent, although he has a job. He lives in California. I am attaching to this letter a sworn declaration affirming that Mr. Mendoza waives his appearance and that he has received the Indictment filed against him and discussed it with counsel. Mr. Mendoza, through this waiver, pleads not guilty to the charges against him. He also gives his consent to his arraignment being conducted by videoconference.

I ask the Court to please accept Mr. Mendoza's written waiver, and to excuse his personal appearance at the arraignment or conduct it by videoconference.

Thank you for your consideration of this matter.

Application granted in part. The arraignment and conference will take place by videoconference on November 3, 2023 at 1:00 p.m. The Court will issue a separate order scheduling the conference, which will take place using the Microsoft Teams platform.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 11.

SO ORDERED.

Dated: October 28, 2023
New York, New York


GREGORY H. WOODS
United States District Judge

Sincerely,



Ariel Werner
Assistant Federal Defender
(212) 417-8770

cc: AUSA Edward Robinson (by email)